

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

FILED
IN CLERK'S OFFICE
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT
OF GEORGIA

M. REGINA THOMAS,
CLERK

DEPUTY CLERK

Ad
IN RE:

CHAPTER 11

JUDGE DRAKE

TRIAD AT LAGRANGE I, LLC, *et al.*

Debtor.

CASE NOS. 09-13383 – 09-13387
(Substantively Consolidated under
Case No. 09-13383)

OCT 29 2010 AM 09:43

**REQUEST FOR ALLOWANCE AND PAYMENT OF
ADMINISTRATIVE EXPENSE CLAIM PURSUANT TO 11 U.S.C. § 503**

COMES NOW the claimant identified below and hereby requests the allowance of an administrative expense claim pursuant to Section 503 of the Bankruptcy Code, showing the following:

CLAIMANT'S NAME AND ADDRESS:

PharMerica, Inc.

c/o Robert Palumbo

3625 Queen Palm Drive

Tampa, FL 33619

DEBTOR OR DEBTORS AGAINST WHOM 11 U.S.C. § 503 ADMINISTRATIVE EXPENSE CLAIM IS ASSERTED AND AMOUNT ASSERTED (Check each debtor you claim is liable for payment of such an administrative expense and enter the amount of the administrative expense claim asserted against each Debtor):

Debtor	Case Number	Amount of 11 U.S.C. § 503(b)(9) Administrative Expense
<input checked="" type="checkbox"/> Triad at LaGrange I, LLC	09-13383	\$ 63,786.03
<input checked="" type="checkbox"/> Triad at Jeffersonville I, LLC	09-13384	\$ 23,614.14
<input checked="" type="checkbox"/> Triad at Lumber City I, LLC	09-13385	\$ 25,816.06
<input checked="" type="checkbox"/> Triad at Powder Springs I, LLC	09-13386	\$ 128,989.90
<input checked="" type="checkbox"/> Triad at Thomasville I, LLC	09-13387	\$ 21,729.80

1. The undersigned holds an administrative expense claim pursuant to 11 U.S.C. § 503 in the amount identified above against the Debtor or Debtors identified above in these bankruptcy cases.

2. The consideration for this debt (or ground for this liability) owed by the Debtor is as follows:

Goods sold and services rendered in accordance with certain Pharmacy Services Agreements.

3. The administrative expense is entitled to administrative priority under 11 U.S.C. § 503(b) and 11 U.S.C. § 507(a)(2) because:

Ongoing expenses of the estates from September 22, 2009 to July 31, 2010.

4. A copy of the writing (invoice, purchase order, lease agreement, etc.) on which the administrative expense is founded, if any, is attached hereto or cannot be attached for the reason set forth in the statement attached hereto.

5. The amount of all payments on the administrative expense have been credited and deducted for the purpose of making this request.

6. The undersigned is aware that under 18 U.S.C. §§ 152 and 3571, the penalty for presenting a fraudulent claim in a bankruptcy case includes a fine of up to \$500,000 or imprisonment for up to five years, or both.

WHEREFORE, the undersigned requests that the Court allow the administrative expense or expenses requested herein, to be paid in accordance with the priorities set forth in the Bankruptcy Code and based upon availability of funds.

Dated: October 19, 2010.

Name of Claimant: PharMerica, Inc.

Signed: 

By (if appropriate): Arent Fox, LLP by Robert M. Hirsh, Esq.

As Its (if appropriate) Attorney

INSTRUCTIONS:

Mail the completed form to the Clerk of the United States Bankruptcy Court, 18 Greenville Street, Second Floor, Newnan, Georgia 30263, with a copy served on Gregory D. Ellis, Lamberth, Cifelli, Stokes, Ellis & Nason, P.A., 3343 Peachtree Road NE, Suite 550, Atlanta, GA 30326.

Unpaid Administrative Expense Payment StatementClaimant's Name: PharMerica Inc.Claimant's Address: c/o Robert Palumbo, 3625 Queen Palm Drive, Tampa, FL 33619

This statement will confirm, as evidenced by Claimant's signature set forth below, that Claimant has the following claim(s) against Triad at LaGrange I, LLC, Triad at Jeffersonville I, LLC, Triad at Lumber City I, LLC, Triad at Powder Springs I, LLC, and Triad at Thomasville I, LLC (collectively, the "Debtors") arising on or after September 22, 2009 (the "Petition Date") and on or before July 31, 2010 (the "OTA Closing Date"):

Triad at LaGrange I, LLC	\$ <u>63,786.03</u>	Triad at Jeffersonville I, LLC	\$ <u>23,614.14</u>
Triad at Powder Springs I, LLC	\$ <u>128,989.90</u>	Triad at Lumber City I, LLC	\$ <u>25,816.06</u>
Triad at Thomasville I, LLC	\$ <u>21,729.80</u>		

Claimant acknowledges that Claimant has no other or further claims against any of the Debtors arising on or after the Petition Date and on or before the OTA Closing Date than set forth above. Claimant further acknowledges that any obligation incurred on or after August 1, 2010, in connection with the Debtors' operations sold to ADK Georgia, LLC (the "New Operator") are not the obligation of any of the Debtors but are the obligation of the New Operator.

Claimant's Signature:  Date: 10/19/10By: Robert M. Hirsh, Esq., Arent Fox, LLP, 1675 Broadway, New York, NY 10019

[Print Name]

Its. Attorney

The following parties consent to the Debtors' payment of the Claimant's claim(s) set forth above:

LAMBERTH, CIFELLI, STOKES,
ELLIS & NASON, P.A.
Attorneys for the Debtors

HOLT NEY ZATCOFF &
WASSERMAN, LLP
Attorneys for ADK Georgia, LLC

By: _____
Gregory D. Ellis
Georgia Bar No. 245310

By: _____
Gregory P. Youra
Georgia Bar No. 783489

SCROGGINS & WILIAMSON
Counsel for the Official Committee
of Unsecured Creditors

By: _____
J. Hayden Kepner, Jr.
Georgia Bar No. 416616

60 Day Terms

Facility Name	07/10	06/10	05/10	04/10-03/10	02/10	10/09-09/09	Account Totals
TRIAD AT JEFFERSONVILLE / 21063	3,551.41	9,170.18	6,447.79	10,444.76	419.95	(9,419.95)	23,614.14
TRIAD AT LAGRANGE / 21107	9,673.48	12,812.59	18,531.14	28,768.82	135.58	(6,135.68)	63,786.03
TRIAD AT LUMBER CITY / 21116		12,498.58	10,855.51	32,561.88	94.38	(10,294.40)	25,816.06
TRIAD AT POWDER SPRINGS / 21126	36,318.81	37,186.55	49,474.29	39,348.33		(32,000.00)	128,989.90
TRIAD OF THOMASVILLE / 21195	5,921.35	8,300.00	4,784.33	6,924.12		(178.87)	21,729.90
						(3,021.13)	283,935.93